

GREENE INFUSO, LLP
3030 South Jones Boulevard, Suite 101
Las Vegas, Nevada 89146
(702) 570-6000

Michael V. Infuso, Esq., Nevada Bar No. 7388
GREENE INFUSO, LLP
3030 South Jones Boulevard, Suite 101
Las Vegas, Nevada 89146
Telephone: (702) 570-6000
Facsimile: (702) 463-8401
E-mail: minfuso@greeneinfusolaw.com

Attorneys for Defendant New Castle, LLC
New Castel Corp. dba Excalibur Hotel & Casino

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BOARD OF TRUSTEES OF UNITE HERE
HEALTH; BOARD OF TRUSTEES OF
SOUTHERN NEVADA CULINARY AND
BARTENDERS PENSION TRUST; BOARD
OF TRUSTEES OF SOUTHERN NEVADA
JOINT MANAGEMENT AND CULINARY
AND BARTENDERS TRAINING FUND;
BOARD OF TRUSTEES OF CULINARY
AND BARTENDERS HOUSING
PARTNERSHIP; BOARD OF TRUSTEES
OF CULINARY AND BARTENDERS
LEGAL SERVICE FUND,

Plaintiffs,

v.

BUCA (EX), LLC, a Florida limited-liability
company dba Buca di Beppo; NEW CASTLE,
LLC, a Nevada limited-liability company fka
New Castle Corp. dba Excalibur Hotel &
Casino; JOHN DOES I-XX, inclusive; and
ROE ENTITIES I-XX, inclusive,

Defendants.

Case No.: 2:23-cv-01016-JCM-NJK

**STIPULATION AND ORDER
EXTENDING TIME TO FILE JOINT
PRETRIAL ORDER**

(First Request)

IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs, Board of
Trustees of UNITE HERE Health, et al. ("Plaintiffs" or "Trust Funds"), Defendant New Castle,
LLC ("New Castle"), and Defendant Buca (EX), LLC ("Buca"), by and through their respective
undersigned counsel of record, as follows:

//

//

1 WHEREAS, the current deadline for the parties to submit the Joint Pretrial Order is April 12,
2 2024;

3 WHEREAS, the parties are finalizing settlement negotiations and need an additional two weeks in
4 which to facilitate the completion and execution of settlement documents;

5 WHEREAS, there are no other deadlines affected by this stipulation that are presently
6 known to the parties; and

7 WHEREAS, the parties represent that this request is not for any improper purpose or to
8 delay.

9 THEREFORE, the parties hereby request an order extending the time in which to file a
10 Joint Pretrial Order up through and including April 26, 2024.

11 Dated this 12th day of April, 2024.

Dated this 12th day of April, 2024.

12 GREENE INFUSO, LLP

CHRISTENSEN JAMES &
MARTIN, CHTD.

13 /s/ Michael V. Infuso

/s/ Kevin B. Archibald

14 Michael V. Infuso, Esq.
Nevada Bar No. 7388
15 3030 South Jones Boulevard, Suite 101
Las Vegas, NV 89146
16 Attorneys for Defendant New Castle, LLC

Kevin B. Archibald, Esq. (NV Bar 13817)
7440 W. Sahara Avenue
Las Vegas, Nevada 89117
Attorney for Plaintiffs

17 Dated this 12th day of April, 2024.

18 GORDON REES SCULLY MANSUKHANI, LLP

19 /s/ Chatree M. Thongkham

20 Robert E. Schumacher, Esq. (NV Bar 7504)
21 Chatree M. Thongkham, Esq. (NV Bar 11875)
22 300 S. 4th St., Ste. 1550
Las Vegas, Nevada 89101
23 Attorneys for Defendant Buca (Ex), LLC

24 IT IS SO ORDERED:

25 

26 UNITED STATES DISTRICT JUDGE

27 DATED: April 15, 2024

4/12/24, 1:00 PM

FW: BUCA-1325099; Case 2:23-cv-01016-JCM-NJK; Unite Here Health, Southern NV Culinary and Bartenders Pension Trust (an...

FW: BUCA-1325099; Case 2:23-cv-01016-JCM-NJK; Unite Here Health, Southern NV Culinary and Bartenders Pension Trust (and others) v. BUCA (EX), LLC; Settlement Terms

Dawn Stanfill <dstanfill@greeneinfusolaw.com>

Fri 4/12/2024 12:48 PM

To: Rylee Infuso <rinfuso@greeneinfusolaw.com>

1 attachments (37 KB)

SAO - To Extend Deadlien to File PTO (CJM changes).docx

From: Michael Infuso <minfuso@greeneinfusolaw.com>

Sent: Friday, April 12, 2024 12:38 PM

To: Dawn Stanfill <dstanfill@greeneinfusolaw.com>

Subject: FW: BUCA-1325099; Case 2:23-cv-01016-JCM-NJK; Unite Here Health, Southern NV Culinary and Bartenders Pension Trust (and others) v. BUCA (EX), LLC; Settlement Terms

Please accept the changes and affix e-signatures.

From: Kevin Archibald <kba@cjmly.com>

Sent: Friday, April 12, 2024 11:49 AM

To: Michael Infuso <minfuso@greeneinfusolaw.com>; Robert Schumacher <rschumacher@grsm.com>; cthongkham@grsm.com

Cc: Dawn Stanfill <dstanfill@greeneinfusolaw.com>

Subject: Re: BUCA-1325099; Case 2:23-cv-01016-JCM-NJK; Unite Here Health, Southern NV Culinary and Bartenders Pension Trust (and others) v. BUCA (EX), LLC; Settlement Terms

Mike,

I spoke with Chatree Thongkham of Gordon Rees this morning who advised me that he and Robert will be working on this matter going forward. He emailed you and me a few minutes ago confirming our discussion and agreement for a two-week extension. He asked that we include both him and Robert on the Stipulation. Accordingly, I made that and a few other minor changes to the Stipulation that you drafted (thank you for doing that in the middle of your mediation). A redline of the Stip is attached. If you and Chatree/Robert agree to the changes, you may affix my electronic signature and file the same with the Court.

Thank you,
Kevin Archibald

-

Kevin B. Archibald, Esq.

Christensen James & Martin, Chtd.

7440 W. Sahara Ave.

Las Vegas, NV 89117

Tel: (702) 255-1718

Fax: (702) 255-0871

CONFIDENTIALITY NOTICE: The information contained in this email message and any attachments or included prior messages are intended only for the personal, private and confidential use of its intended recipient. This communication may be subject to the attorney-client privilege, the attorney work product doctrine, or may be otherwise protected by law from unauthorized dissemination and use. If you are not the intended recipient of this communication, or a person responsible for delivering it to the intended recipient, you are hereby notified that you have received it in error, and that its dissemination, distribution, copying, and any further review of this message are prohibited. If you have received this communication in error, please notify the sender immediately by telephone at the number listed above, or by return e-mail, and promptly delete all copies of this message and any attachments from your computer system.

From: Michael Infuso <minfuso@greeneinfusolaw.com>

Sent: Friday, April 12, 2024 11:00 AM

To: Kevin Archibald <kba@cjmly.com>; Robert Schumacher <rschumacher@grsm.com>

Cc: Dawn Stanfill <dstanfill@greeneinfusolaw.com>

Subject: RE: BUCA-1325099; Case 2:23-cv-01016-JCM-NJK; Unite Here Health, Southern NV Culinary and Bartenders Pension Trust (and others) v. BUCA (EX), LLC; Settlement Terms

Please see attached draft stipulation.

4/12/24, 1:00 PM

FW: BUCA-1325099; Case 2:23-cv-01016-JCM-NJK; Unite Here Health, Southern NV Culinary and Bartenders Pension Trust (an...



Michael V. Infuso
Greene Infuso, LLP
3030 South Jones Blvd.
Suite 101
Las Vegas Nevada 89146
Main: (702) 570-6000
Fax: (702) 463-8401
Direct: (702) 473-1401
minfuso@greeneinfusolaw.com

From: Kevin Archibald <kba@cmly.com>
Sent: Friday, April 12, 2024 9:14 AM
To: Michael Infuso <minfuso@greeneinfusolaw.com>; Robert Schumacher <rschumacher@grsm.com>
Cc: Dawn Stanfill <dstanfill@greeneinfusolaw.com>
Subject: Re: BUCA-1325099; Case 2:23-cv-01016-JCM-NJK; Unite Here Health, Southern NV Culinary and Bartenders Pension Trust (and others) v. BUCA (EX), LLC; Settlement Terms

I would be agreeable to a two-week extension.

Kevin B. Archibald, Esq.

Christensen James & Martin, Chtd.

7440 W. Sahara Ave.

Las Vegas, NV 89117

Tel: (702) 255-1718

Fax: (702) 255-0871

CONFIDENTIALITY NOTICE: The information contained in this email message and any attachments or included prior messages are intended only for the personal, private and confidential use of its intended recipient. This communication may be subject to the attorney-client privilege, the attorney work product doctrine, or may be otherwise protected by law from unauthorized dissemination and use. If you are not the intended recipient of this communication, or a person responsible for delivering it to the intended recipient, you are hereby notified that you have received it in error, and that its dissemination, distribution, copying, and any further review of this message are prohibited. If you have received this communication in error, please notify the sender immediately by telephone at the number listed above, or by return e-mail, and promptly delete all copies of this message and any attachments from your computer system.

From: Michael Infuso <minfuso@greeneinfusolaw.com>
Sent: Friday, April 12, 2024 9:06 AM
To: Kevin Archibald <kba@cmly.com>; Robert Schumacher <rschumacher@grsm.com>
Cc: Dawn Stanfill <dstanfill@greeneinfusolaw.com>
Subject: RE: BUCA-1325099; Case 2:23-cv-01016-JCM-NJK; Unite Here Health, Southern NV Culinary and Bartenders Pension Trust (and others) v. BUCA (EX), LLC; Settlement Terms

I'm in a mediation today, but we obviously need to get something filed. I will get something prepared. How long of an extension?

Mike



Michael V. Infuso
Greene Infuso, LLP
3030 South Jones Blvd.
Suite 101
Las Vegas Nevada 89146
Main: (702) 570-6000
Fax: (702) 463-8401
Direct: (702) 473-1401
minfuso@greeneinfusolaw.com